

Calendar No. 422

107TH CONGRESS
2D SESSION

S. 1917

[Report No. 107-163]

To provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2002

Mr. JEFFORDS (for himself, Mr. SMITH of New Hampshire, Mr. REID, Mr. INHOFE, Mr. BAUCUS, Mr. WARNER, Mr. GRAHAM, Mr. BOND, Mr. VOINOVICH, Mr. LIEBERMAN, Mr. CRAPO, Mrs. BOXER, Mr. CHAFEE, Mr. SPECTER, Mr. WYDEN, Mr. CARPER, Mr. CAMPBELL, Mrs. CLINTON, Mr. CORZINE, Mr. JOHNSON, Mr. CRAIG, Mr. THOMAS, Mr. HUTCHINSON, Mr. ENZI, Mr. DAYTON, Mr. DODD, Mr. BURNS, Mr. DORGAN, Mr. BINGAMAN, Mr. LEAHY, Mr. SARBANES, Mr. TORRICELLI, Mr. LEVIN, Mr. NELSON of Florida, Mr. SCHUMER, Ms. LANDRIEU, Mr. BAYH, Mr. DASCHLE, Mr. BREAUX, Ms. SNOWE, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. WELLSTONE, Mr. DURBIN, Mr. CLELAND, Ms. STABENOW, Mrs. CARNAHAN, Ms. CANTWELL, Ms. COLLINS, Mr. ALLEN, Mr. DEWINE, Mr. MURKOWSKI, Mrs. LINCOLN, Mr. NELSON of Nebraska, Mr. HAGEL, Ms. MIKULSKI, Mr. KERRY, Mr. ROCKEFELLER, Mr. LUGAR, Mr. BENNETT, Mr. CONRAD, Mrs. HUTCHISON, Mr. HELMS, Mr. ROBERTS, Mr. BYRD, Mrs. MURRAY, Mr. ALLARD, Mr. INOUE, Mr. SESSIONS, Mr. MILLER, Mr. KOHL, Mr. SMITH of Oregon, Mr. ENSIGN, Mr. HATCH, Mr. DOMENICI, and Mr. BUNNING) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JUNE 17, 2002

Reported by Mr. JEFFORDS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Highway Funding Res-
 5 toration Act”.

6 **SEC. 2. FEDERAL-AID HIGHWAY PROGRAM OBLIGATION**
 7 **CEILING.**

8 Section 1102 of the Transportation Equity Act for
 9 the 21st Century (23 U.S.C. 104 note; 112 Stat. 115, 113
 10 Stat. 1753) is amended by adding at the end the following:

11 “(k) RESTORATION OF OBLIGATION LIMITATION FOR
 12 FISCAL YEAR 2003.—Notwithstanding any other provi-
 13 sion of law, the obligations for Federal-aid highway and
 14 highway safety construction programs for fiscal year
 15 2003—

16 “(1) shall be not less than \$27,746,000,000;
 17 and

18 “(2) shall be distributed in accordance with this
 19 section.”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Highway Funding Res-*
 3 *toration Act”.*

4 **SEC. 2. FEDERAL-AID HIGHWAY PROGRAM OBLIGATION**
 5 **CEILING.**

6 *Section 1102 of the Transportation Equity Act for the*
 7 *21st Century (23 U.S.C. 104 note; 112 Stat. 115, 113 Stat.*
 8 *1753) is amended by adding at the end the following:*

9 “(k) *RESTORATION OF OBLIGATION LIMITATION FOR*
 10 *FISCAL YEAR 2003.—Notwithstanding any other provision*
 11 *of law, the obligations for Federal-aid highway and high-*
 12 *way safety construction programs for fiscal year 2003—*

13 “(1) *shall be \$28,900,000,000; and*

14 “(2) *shall be distributed in accordance with this*
 15 *section.”.*

16 **SEC. 3. RESTORATION OF HIGHWAY CATEGORY SPENDING**
 17 **GUARANTEE.**

18 *Notwithstanding any other provision of law, all ad-*
 19 *justments made pursuant to section 251(b)(1)(B) of the Bal-*
 20 *anced Budget and Emergency Deficit Control Act of 1985*
 21 *(2 U.S.C. 901(b)(1)(B)) to the highway category and to sec-*
 22 *tion 8103(a)(5) of the Transportation Equity Act for the*
 23 *21st Century (2 U.S.C. 901 note; 112 Stat. 492) for fiscal*
 24 *year 2003 shall be deemed to be zero. This section shall*
 25 *apply immediately to all reports issued pursuant to section*
 26 *254 of the Balanced Budget and Emergency Deficit Control*

1 *Act of 1985 (2 U.S.C. 904) for fiscal year 2003, including*
 2 *the discretionary sequestration preview report.*

3 **SEC. 4. INCREASE IN DISCRETIONARY SPENDING LIMIT**
 4 **AND OBLIGATION LIMITATIONS FOR THE**
 5 **HIGHWAY CATEGORY.**

6 (a) *DISCRETIONARY SPENDING LIMIT.*—Section
 7 251(c)(7)(A) of the *Balanced Budget and Emergency Deficit*
 8 *Control Act of 1985 (2 U.S.C. 901(c)(7)(A))* is amended by
 9 striking “\$27,728,000,000” and inserting
 10 “\$29,234,000,000”.

11 (b) *LEVEL OF OBLIGATION LIMITATIONS.*—Section
 12 8103(a)(5) of the *Transportation Equity Act for the 21st*
 13 *Century (2 U.S.C. 901 note; 112 Stat. 492)* is amended by
 14 striking “\$28,233,000,000” and inserting
 15 “\$29,387,000,000”.

16 **SEC. 5. SENSE OF CONGRESS REGARDING REVENUE**
 17 **ALIGNED BUDGET AUTHORITY.**

18 *It is the sense of Congress that the revenue aligned*
 19 *budget authority provision in section 251(b)(1)(B) of the*
 20 *Balanced Budget and Emergency Deficit Control Act of*
 21 *1985 (2 U.S.C. 901(b)(1)(B)) should be amended after the*
 22 *date of enactment of this Act to more accurately align high-*
 23 *way spending with highway revenues while maintaining*
 24 *predictability and stability in highway funding levels.*

1 **SEC. 6. SENSE OF THE SENATE CONCERNING DISTRIBU-**
2 **TION OF FUNDS.**

3 *It is the sense of the Senate that the funds made avail-*
4 *able by the amendments made by this Act shall be distrib-*
5 *uted among the States in accordance with section 1102 of*
6 *the Transportation Equity Act for the 21st Century (23*
7 *U.S.C. 104 note; 112 Stat. 115).*

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